

CHAPTER 183

COMPENSATION OF COUNTY OFFICERS

S. F. 181

AN ACT to amend sections three hundred thirty-one point twenty-two (331.22), three hundred forty point one (340.1), three hundred forty point three (340.3), three hundred forty point five (340.5), three hundred forty point seven (340.7) to three hundred forty point eleven (340.11), inclusive, three hundred forty point eighteen (340.18) and four hundred forty-four point nine (444.9); code 1946; to repeal sections three hundred forty point two (340.2), three hundred forty point four (340.4), three hundred forty point six (340.6) and three hundred forty point twelve (340.12), code 1946, and to enact substitutes therefor—all relating to the compensation of county officers, their deputies, assistants and clerks and the millage levy to pay such compensation and to provide compensation for county assessors ex officio, deputy county assessors, and city assessors and their deputies.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section three hundred thirty-one point twenty-two
2 (331.22), Code 1946, is amended by striking from lines three (3) and
3 four (4) the word "five" and inserting in lieu thereof the word "seven",
4 and by striking lines fourteen (14) to thirty-five (35), inclusive, and
5 inserting in lieu thereof the following:

6 "However, in counties now having or which may hereafter have
7 a population in excess of sixty thousand, with boards not exceeding
8 five members in number, these county supervisors shall receive an
9 annual salary of three thousand dollars except in those counties
10 now having or which may hereafter have a population in excess
11 of sixty thousand (60,000), with boards not exceeding three (3)
12 members in number, these county supervisors shall each receive an
13 annual salary of thirty-five hundred (\$3,500) dollars, and in counties
14 now having or which may hereafter have a population in excess of
15 one hundred fifty thousand, county supervisors shall receive an annual
16 salary of forty-two hundred dollars. These salaries shall be in full
17 payment of all services rendered to the county by said supervisors
18 except statutory mileage while actually engaged in the performance
19 of official duties."

1 SEC. 2. Section three hundred forty point one (340.1), three
2 hundred forty point three (340.3), three hundred forty point five
3 (340.5) and three hundred forty point eleven (340.11), Code 1946,
4 are hereby amended by striking therefrom subsections one (1) to
5 eleven (11), inclusive, and inserting in lieu thereof the following:

6 "1. Less than ten thousand, twenty-four hundred dollars.
7 "2. Ten thousand and less than fifteen thousand, twenty-five hundred
8 fifty dollars.
9 "3. Fifteen thousand and less than twenty thousand, twenty-seven
10 hundred dollars.
11 "4. Twenty thousand and less than twenty-five thousand, twenty-
12 eight hundred fifty dollars.
13 "5. Twenty-five thousand and less than thirty thousand, three
14 thousand dollars.
15 "6. Thirty thousand and less than thirty-five thousand, thirty-one
16 hundred fifty dollars.
17 "7. Thirty-five thousand and less than forty thousand, thirty-three
18 hundred dollars.

19 "8. Forty thousand and less than forty-five thousand, thirty-four
20 hundred fifty dollars.

21 "9. Forty-five thousand and less than fifty thousand, thirty-six
22 hundred dollars.

23 "10. Fifty thousand and less than sixty thousand, thirty-nine
24 hundred dollars.

25 "11. Sixty thousand and less than seventy thousand, forty-two
26 hundred dollars.

27 "12. Seventy thousand and less than eighty thousand, forty-five
28 hundred dollars.

29 "13. Eighty thousand and over, forty-eight hundred dollars.

30 "14. In addition to the foregoing, each county auditor shall receive
31 the sum of three hundred dollars (\$300.00), per annum for discharging
32 his duties as county assessor, ex-officio.",

33 and by renumbering subsection twelve (12) of sections three hundred
34 forty point one (340.1), three hundred forty point three (340.3), three
35 hundred forty point eleven (340.11) and the last paragraph of section
36 three hundred forty point five (340.5) as subsection fourteen (14).

1 SEC. 3. Section three hundred forty point seven (340.7), Code
2 1946, is hereby amended by striking subsections one (1) to ten (10),
3 inclusive, and inserting in lieu thereof the following:

4 "1. Less than ten thousand, twenty-four hundred dollars.

5 "2. Ten thousand and less than fifteen thousand, twenty-five hundred
6 fifty dollars.

7 "3. Fifteen thousand and less than twenty thousand, twenty-seven
8 hundred dollars.

9 "4. Twenty thousand and less than twenty-five thousand, twenty-
10 eight hundred fifty dollars.

11 "5. Twenty-five thousand and less than thirty thousand, three
12 thousand dollars.

13 "6. Thirty thousand and less than thirty-five thousand, thirty-one
14 hundred fifty dollars.

15 "7. Thirty-five thousand and less than forty thousand, thirty-three
16 hundred dollars.

17 "8. Forty thousand and less than forty-five thousand, thirty-four
18 hundred fifty dollars.

19 "9. Forty-five thousand and less than fifty thousand, thirty-six
20 hundred dollars.

21 "10. Fifty thousand and less than sixty thousand, thirty-nine
22 hundred dollars.

23 "11. Sixty thousand and less than seventy thousand, forty-two
24 hundred dollars.

25 "12. Seventy thousand and less than eighty thousand, forty-five
26 hundred dollars.

27 "13. Eighty thousand and less than one hundred twenty-five
28 thousand, five thousand dollars.

29 "14. One hundred twenty-five thousand and over, six thousand
30 dollars.", and renumbering subsections eleven (11) and twelve (12)
31 as "15" and "16" respectively.

1 SEC. 4. Section three hundred forty point eight (340.8), Code
2 1946, is hereby amended by striking therefrom subsections one (1),
3 two (2) and three (3) and inserting in lieu thereof the following:

4 "1. Less than twenty-five thousand, not less than eighteen hundred
5 dollars nor more than twenty-four hundred dollars, as fixed by the
6 board of supervisors.

7 "2. Twenty-five thousand and under fifty thousand, not less than
8 twenty-one hundred dollars nor more than twenty-seven hundred
9 dollars, as fixed by the board of supervisors.

10 "3. Fifty thousand or over, not less than twenty-four hundred
11 dollars nor more than three thousand dollars, as fixed by the board
12 of supervisors.

13 "4. In any county where district court is held in two places, for
14 the chief deputy and for any deputy other than the chief deputy in
15 charge of the office where such court is held outside the county seat,
16 seventy-five per cent of the amount of the salary of the sheriff
17 but not to exceed three thousand dollars."

1 SEC. 5. Section three hundred forty point nine (340.9), Code 1946,
2 is hereby amended by striking therefrom subsection one (1) to
3 and including the first two lines of subsection ten (10) and inserting
4 in lieu thereof the following:

5 "1. Less than ten thousand, twenty-four hundred dollars.

6 "2. Ten thousand and less than fifteen thousand, twenty-five hundred
7 fifty dollars.

8 "3. Fifteen thousand and less than twenty thousand, twenty-seven
9 hundred dollars.

10 "4. Twenty thousand and less than twenty-five thousand, twenty-
11 eight hundred fifty dollars.

12 "5. Twenty-five thousand and less than thirty thousand, three
13 thousand dollars.

14 "6. Thirty thousand and less than thirty-five thousand, thirty-one
15 hundred fifty dollars.

16 "7. Thirty-five thousand and less than forty thousand, thirty-three
17 hundred dollars.

18 "8. Forty thousand and less than forty-five thousand, thirty-four
19 hundred fifty dollars.

20 "9. Forty-five thousand and less than fifty thousand, thirty-six
21 hundred dollars.

22 "10. Fifty thousand and less than sixty thousand, thirty-nine
23 hundred dollars.

24 "11. Sixty thousand and less than seventy thousand, forty-two
25 hundred dollars.

26 "12. Seventy thousand and less than eighty thousand, forty-five
27 hundred dollars.

28 "13. Eighty thousand and less than one hundred thousand, five
29 thousand dollars.

30 "14. One hundred thousand and less than one hundred fifty thousand,
31 fifty-six hundred dollars.

32 "15. One hundred fifty thousand and over, six thousand dollars."

1 SEC. 6. Section three hundred forty point ten (340.10), Code 1946,
2 is hereby amended by striking therefrom subsections one (1) to five
3 (5), inclusive, and inserting in lieu thereof the following:

4 "1. Less than thirty-six thousand, no compensation.

5 "2. Thirty-six thousand and over, where an assistant county attorney

6 is required, the first assistant shall receive seventy-five per cent of
7 the amount of the salary of the county attorney.

8 "3. Thirty-six thousand and over, where assistants in addition to
9 the first assistant county attorney are required, fifty per cent to
10 sixty-five per cent of the amount of the salary of the county attorney,
11 as fixed by the board of supervisors."
12 and by renumbering subsection six (6) as subsection "4".

1 SEC. 7. Sections three hundred forty point two (340.2), three
2 hundred forty point four (340.4), three hundred forty point six
3 (340.6) and three hundred forty point twelve (340.12), Code 1946,
4 are hereby repealed and the following enacted in lieu thereof:

5 "The first deputy auditor, treasurer, recorder and clerk, and the
6 second such deputy if a second deputy is required, shall receive an
7 annual salary in counties having a population of:

8 "1. Less than twenty-five thousand, seventy-five per cent of the
9 amount of the salary of his or her principal but not to exceed twenty-
10 one hundred dollars.

11 "2. Twenty-five thousand and under fifty thousand, seventy-five
12 per cent of the amount of the salary of his or her principal but not
13 to exceed twenty-four hundred dollars.

14 "3. Fifty thousand and under one hundred thousand, seventy-five
15 per cent of the amount of the salary of his or her principal but not
16 to exceed three thousand dollars.

17 "4. One hundred thousand and over, seventy-five per cent of the
18 amount of the salary of his or her principal but not to exceed thirty-
19 three hundred dollars.

20 "5. In any county having within its limits a city having a population
21 of thirty-six thousand or over, each additional deputy shall receive
22 fifty-five to sixty per cent of the amount of the salary of his or her
23 principal as fixed by the board of supervisors. If more than four
24 deputies are required, or additional clerks, the board of supervisors
25 shall fix the amount of their compensation.

26 "6. Fifty-three thousand or over, in which there exists a city, not
27 the county seat, having a population of six thousand or over, the
28 treasurer may appoint a resident deputy collector of taxes for such
29 city and vicinity under bond as provided for other deputies, and his
30 compensation shall be the same percentage of the treasurer's salary
31 as the chief deputy and second deputy in such county. Such resident
32 deputy collector shall maintain an office in such city for a period
33 of approximately five weeks each spring and fall, such periods to
34 terminate on April 1 and October 1 respectively or as soon thereafter
35 as possible, and the remainder of the year he shall be on duty as
36 a deputy in the county treasurer's office. The treasurer in such case
37 shall prepare the necessary books and records for such deputy each
38 year, and the board of supervisors is authorized to allow payment of
39 incidental expenses pertaining to the operation of such office, not
40 to exceed one hundred dollars per year."

1 SEC. 8. Section three hundred forty point eighteen (340.18), Code
2 1946, is hereby amended by striking from lines six (6) and seven
3 (7) the words "shall receive sixty-five per cent of the amount of the
4 salary of his principal." and by inserting in lieu thereof the following:

5 "shall receive seventy-five per cent of the amount of the salary of his
6 principal but not to exceed three thousand dollars."

1 SEC. 9. Section four hundred forty-four point nine (444.9), Code
2 1946, is hereby amended by striking from subsection two (2) the
3 word "three" appearing in line two (2) and inserting in lieu thereof
4 the words "three and one-half"; by striking the words "two and one-
5 half" appearing in line four (4) and inserting in lieu thereof the
6 word "three"; by striking from line eight (8) the word "two" and
7 inserting in lieu thereof the words "two and one-half"; and by striking
8 from line eleven (11) the words "one and one-half" and inserting
9 in lieu thereof the word "two".

1 SEC. 10. The board of supervisors shall fix the annual salary of
2 the first deputy assessor appointed pursuant to the provisions of
3 section 2 of Senate File 46*, Acts of the Fifty-second General Assem-
4 bly, and who is in charge of the assessment of property directly under
5 the county auditor, at the same salary paid the county auditor in his
6 respective county.

1 SEC. 11. Until such time as a city assessor is qualified under the
2 provisions of Senate File 46*, Acts of the Fifty-second General Assem-
3 bly, the compensation of city assessors and deputies shall be as follows:
4 1. In cities of the first class having a population of more than
5 twenty-five thousand and less than forty thousand the compensation
6 of the assessor shall be twenty-four hundred dollars per annum,
7 in cities of the first class having a population of more than forty
8 thousand and less than forty-five thousand the compensation of the
9 assessor shall be thirty-two hundred dollars per annum, and in those
10 of less population not more than twenty-four hundred dollars per
11 annum, or not less than seven dollars per day for the time actually
12 employed, to be fixed by the board of supervisors; and that of the
13 deputies not more than seven dollars nor less than five dollars per
14 calendar day, Sunday excepted, for the time actually employed, to
15 be fixed by the board of supervisors.

16 2. In cities of the commission form of government having a popula-
17 tion of more than twenty-five thousand and less than forty-five
18 thousand the compensation of the head deputy assessor shall be two
19 thousand dollars.

20 3. In cities of the first class having a population of more than
21 forty-five thousand and less than sixty thousand the compensation
22 of the assessor shall be thirty-eight hundred dollars per year. Full
23 time deputy assessors in such cities shall receive as their annual
24 compensation seventy-five per cent (75%) of the amount of compensa-
25 tion of the city assessor but not to exceed twenty-seven hundred
26 dollars (\$2,700.00).

27 4. In cities under the commission form of government having
28 a population of more than forty-five thousand and less than sixty
29 thousand, and in cities acting under special charter having a population
30 of more than forty-five thousand and less than sixty thousand the
31 board of supervisors shall fix the compensation of the assessor at
32 thirty-two hundred dollars per annum, and the compensation of not
33 more than two head deputy assessors at twenty-four hundred dollars
34 per annum.

35 5. In cities under the commission form of government having
 36 a population of more than sixty thousand and less than one hundred
 37 twenty-five thousand the board of supervisors shall fix the compensa-
 38 tion of the assessor at forty-eight hundred dollars per annum and
 39 the compensation of the two head deputy assessors at thirty-two
 40 hundred dollars per annum and the compensation of one additional
 41 full time deputy at twenty-four hundred dollars per annum.

1 SEC. 12. The provisions of this Act shall be in full force and
 2 effect beginning July 1, 1947.

Approved April 18, 1947.

CHAPTER 184

COUNTY ZONING COMMISSION

S. F. 106

AN ACT granting to the board of supervisors of any county, with a population of not less than 60,000 inhabitants, with respect to lands located within the county but lying outside the corporate limits of any city or town, the power to appoint a zoning commission and to prescribe its duties; to divide the county into districts with respect to the development and uses of the property therein; to adopt uniform rules for such property which may affect the general welfare; to appoint an administrative officer authorized to enforce such uniform rules and to provide for the payment of such officer; to provide for the appointment of a board of adjustment and to prescribe its duties; to institute appropriate action or proceedings in case of violation of this act or of any ordinance or regulation made under authority conferred thereby; to provide for appeals from the action of the board of adjustment and from the board of supervisors or its administrative officer, and prescribing notice and hearing of such appeal; to impose sanitation requirements in dwellings now or hereafter erected; and to provide penalties for violations.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. The provisions of this act shall apply only to counties
 2 which now have, or may hereafter have, a population of not less than
 3 60,000 inhabitants as determined by the last preceding official federal
 4 census, and then only at the option of the board of supervisors of
 5 any such county.

1 SEC. 2. No regulation or ordinance adopted under the provisions
 2 of this act shall be construed to apply to land, farm houses, farm barns,
 3 farm outbuildings or other buildings, structures, or erections which
 4 are adapted, by reason of nature and area, for use for agricultural
 5 purposes as a primary means of livelihood, while so used.

1 SEC. 3. Subject to the provisions of sections one (1) and two
 2 (2) hereof, the board of supervisors of any county is hereby empowered
 3 to regulate and restrict the height, number of structures, and size
 4 of buildings and other structures, the percentage of lot that may be
 5 occupied, the size of yards, courts and other open spaces, the density
 6 of population, and the location and use of buildings, structures, and
 7 land for trade, industry, residence or other purposes, and to regulate,
 8 restrict and prohibit the use for residential purposes of tents, trailers
 9 and portable or potentially portable structures; provided that such
 10 powers shall be exercised only with reference to land and structures